

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

PETER RICHARD ROSA,

Petitioner,

v.

CIV 07-713 JH/CEG

JOE WILLIAMS, Warden, et al.,

Respondents.

ORDER ADOPTING MAGISTRATE JUDGE'S
PROPOSED FINDINGS AND RECOMMENDED DISPOSITION

The Magistrate Judge filed her Proposed Findings and Recommended Disposition on September 15, 2008 (Doc. 45), which recommended that Petitioner be allowed to file a response to Respondents' Motion to Dismiss (Doc. 13). The proposed findings notify the parties of their ability to file objections and that failure to do so waives appellate review. To date, neither party has filed objections and there is nothing in the record indicating that the proposed findings were not delivered.

Wherefore,

IT IS HEREBY ORDERED THAT:

- 1) the Magistrate Judge's Proposed Findings and Recommended Disposition (Doc. 45) are adopted;
- 2) Petitioner will have until October 20, 2008 to file a response to Respondents' Motion to Dismiss (Doc. 13);
- 3) Respondents will have until November 3, 2008 to file a reply; and
- 4) this matter is referred to the Magistrate Judge for further findings once the foregoing has occurred.


UNITED STATES DISTRICT JUDGE